IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 6494 of 1998

Between:

1.. J.Nageswara Rao, S/o Damayya,
R/o Near Benz Circle, Vijayawada,
Krishna District.
2.. M.Nageswara Rao, S/o A.Amrutham,
R/o Benz Circle, Vijayawada,
Krishna District.

..... PETITIONERS

AND

1 The Superintending Engineer, R&B,
National Highways, Vijayawada,
Krishna District.
2 The Executive Engineer, R&B,
National Highways, Vijayawada,
Krishna District.
3 The Mandal Revenue Officer,
Vijayawada Urban, Vijayawada, Krishna District.
(R3 Dismissed for default vide Court Order dt. 8-9-2001)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, order, direction preferably a writ in the Nature of Mandamus declaring action of the respondents in trying to evict the petitioner from their business premises situated at Benz Circle, near Lorry Owners hall, Vijayawada by demolishing the structures as illegal, arbitrary, contrary to law and violative of Art.14, 21.300 A of the constitution of India and consequently direct the respondents to desist them from evicting of demolishing the structures of the petitioners and pass

Counsel for the Petitioner:MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondent No.: GP FOR ROADS & BUILDINGS

The Court made the following :

ORDER:

The present writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in trying to evict the petitioners from their business premises situated at Benz Circle, Vijayawada and consequently direct the respondents to desist from evicting or demolishing the structures of the petitioners.

This Court while admitting the writ petition granted interim stay of demolition by order dated 11-3-1998. None appeared for the petitioner and learned Government Pleader for Roads and Buildings, submitted that the cause in the writ petition does not survive and it has become
in-fructuous.

In the circumstances, the writ petition is dismissed as
in-fructuous. No costs.

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N.V.RAMANA,J

24-2-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintending Engineer, R&B,
National Highways, Vijayawada,
Krishna District.

2 The Executive Engineer, R&B,
National Highways, Vijayawada,
Krishna District.
3 The Mandal Revenue Officer,
Vijayawada Urban, Vijayawada, Krishna District.
4) 2 copies to Government Pleader for Roads and Buildings, High Court of A.P.Buildings, Hyderabad (OUT)

5).. 2 CD copies

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